

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

UNITED STATES OF AMERICA for Use and
Benefit of VULCAN MATERIALS COMPANY; and
VULCAN CONSTRUCTION MATERIALS, LP,
SOUTHERN AND GULF COAST DIVISION

PLAINTIFFS

vs.

No. 1:05CV47-D-A

McLEA DEVELOPERS, INC.; et al.

DEFENDANTS

JUDGMENT

After a bench trial and pursuant to an opinion issued this day, the court rules that

- (1) the Plaintiff Vulcan Construction Materials was a supplier on a federal project and properly filed this action in this court under the Miller Act, 40 U.S.C. § 3131, *et seq.*, thus providing the court with subject matter jurisdiction to adjudicate this action;
- (2) the Plaintiff Vulcan Construction Materials is entitled to payment in the amount of \$27,291.40 plus accrued interest from the Defendant McLea Developers, Inc. for unpaid invoices for crushed stone;
- (3) this judgment shall be SATISFIED by the remittance to Vulcan of the funds, including accrued interest, deposited by Ellis Construction Co., Inc. into the court registry in connection with this action;
- (4) each party shall bear its own attorneys' fees and costs; and
- (5) this case is CLOSED.

SO ORDERED, this the 3rd day of May 2007.

/s/ Glen H. Davidson
Chief Judge